

CALIFORNIA MOCK TRIAL FACT SITUATION

1
2
3 San Domino High School is a typical three-year high school. Like many high schools, it has
4 cliques. Some students group together because they like the same music, some because
5 they like to dress the same, and others because they share the same hobbies. There are
6 the athletes, the academics, the class clowns, the artists, and so on.

7
8 Then there is the so-called "popular crowd." All of the members of the popular crowd are
9 part of a banned social club that is not officially recognized by the school. This year, the
10 club is composed of 35 young men and women. They call themselves Sigma Zeta Zeta Pi.
11 Although an informal group, it has been around for decades and is modeled after the old
12 college campus frat system, including traditions, rituals and ceremonies long since
13 discarded by college groups – they even use Greek symbols as their logo. The members
14 pride themselves on only admitting the elite, the so-called "best of the best," and thus the
15 group is considered to be very exclusive.

16
17 At the start of each school year, members of the group scout out the 10th graders (usually
18 15- and 16-year-olds) they feel would fit into their group. They then invite this select group
19 to "rush" (a three-week time period giving everyone an opportunity to get to know one
20 another at various social gatherings). When rush is completed, there is yet another stage
21 of elimination; when the senior members of the club identify the even more exclusive
22 "pledge class." The students who accept the invitation to pledge begin an additional six-
23 week season, during which they are forced to serve the members of the club at will and do
24 whatever they are told. Unlike the contemporary college frat system, which has adopted
25 strong anti-hazing policies, Sigma Zeta Zeta Pi prides itself on the severity and originality
26 of its hazing practices. These activities are conducted in direct violation of California
27 Education Code Section 32051 and San Domino High's policy prohibiting hazing of any
28 type, on or off campus. In fact, San Domino High specifically prohibits students from
29 participating in Sigma Zeta Zeta Pi activities.

30
31 This year's Sigma Zeta Zeta Pi senior members included President Cory Jones and Rush
32 Chair René Guerrero. As the top of the club chain of command, they had the last word on
33 the membership selection process. Sam Rose and Cameron Bird were two of this year's
34 pledges. Sam was new in town, whereas Cameron's family had lived in San Domino for
35 some time. In fact, Cameron was a legacy to Sigma Zeta Zeta Pi (a pledge who had been
36 asked to join because an older sibling or close relative was or had been a member).
37 Cameron's older brother, Hunter, who had graduated from San Domino the previous year,
38 had been a particularly well-liked member of the club.

39
40 Every pledging season concludes with Hell Night at Sunset Park. This year, all of the
41 members showed up for Hell Night, and even some alumni participated. The night was
42 going as planned, starting with the pledges reciting the Club Motto and singing the Club
43 Anthem, followed by swatting the pledges with paddles, forcing them to drink cup after cup
44 of alcohol, dousing them with ketchup and mustard, and making them swallow live goldfish.
45 Humiliating, nonsensical awards were given to some of the pledges, including the "Least
46 Likely to Succeed" award, a black bowling ball, which was given to Sam. The officers
47 warned that this was just the beginning and the agony would only get worse. The Toasting
48 of the Officers was the midway point of Hell Night, when the five current officers of the club
49 were each toasted by last year's officers. All members had their own, personalized steins
50 engraved with their names and the club's Greek symbols.

51
52 About 30 minutes after the toasting, the pledges were ordered to recite the alphabet
53 backwards. Halfway through the alphabet, Cory experienced extreme chills, and René felt

1 **CHARGES:**

2 The prosecution charges Sam Rose with three counts:

3
4 Count 1- Poisoning or adulterating drink (California Penal Code, Section 347)

5
6 Count 2 - Assault with a Deadly Weapon or By Means of Force Likely to
7 Produce Great Bodily Injury (California Penal Code, Section 245)

8
9 Count 3 - Drug Possession (California Health & Safety Code, Section 11377)

10
11 **EVIDENCE:**

12 Only the following items may be introduced at trial. The prosecution is responsible for
13 bringing:

- 14
15 1. A faithful reproduction of the map of the crime scene, the Upper Picnic Area of
16 Sunset Park, which appears in this packet. The reproduction should be no larger
17 than 22" x 28".
18 2. A faithful reproduction of the search warrant for the Rose apartment, which appears
19 in this packet. The reproduction should be no larger than 22" x 28".
20 3. A faithful reproduction of the screen saver from the Rose computer, which appears
21 in this packet. The reproduction should be no larger than 22" x 28".
22

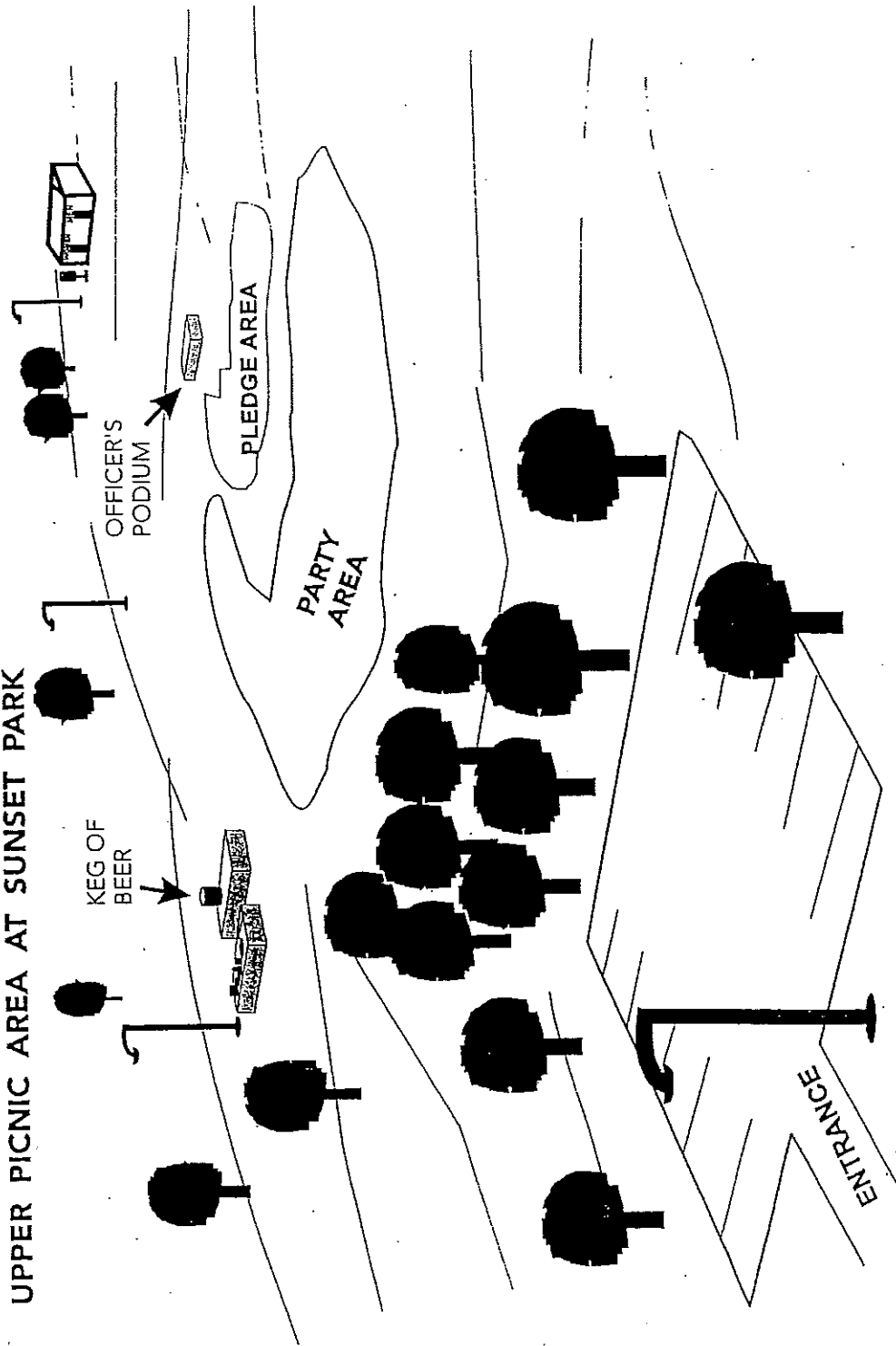
23 **STIPULATIONS:**

24 Prosecution and defense stipulate to the following:

- 25
26 1. According to California Health & Safety Code, Section 11057, Rohypnol is defined
27 as a Schedule IV Drug.
28
29 2. Sam is being tried as an adult. The age of the defendant is not an issue in this trial.
30
31 3. Following Sam's arrest, all members of Sigma Zeta Zeta Pi were either suspended
32 from school for violation of the school policy or had other disciplinary action taken
33 against them, depending on the degree of their involvement in the hazing activities.
34
35 4. Cory and René are themselves under investigation for various criminal charges,
36 including Education Code, Section 32051: Prohibition of Hazing (as defined in
37 Section 32050). If the allegations are found true, both could be prosecuted
38 criminally and/or administratively expelled from school. There were no discussions
39 with the Prosecutor's Office about immunity.
40
41 5. All standard forensic procedures were followed in this investigation, and there are
42 no objections as to the chain of evidence.
43
44 6. No identifiable fingerprints were lifted from Cory or René's beer steins, the Roses'
45 keyboard or the plastic bag found in the defendant's home.
46
47 7. The form and service of the search warrant is proper and valid for the apartment
48 entry and seizure of any illegal substances.
49
50 8. The steins and drugs are admitted as evidence; there is no need to physically
51 introduce them in court.
52
53 9. There is no legal or factual issue regarding dates; the case does not correlate to
54 any specific calendar year.

OFFICIAL DIAGRAM

UPPER PICNIC AREA AT SUNSET PARK



OFFICIAL DIAGRAM

SUPERIOR COURT OF SAN DOMINO COUNTY

People

v.

Sam Rose



Docket No. A

Case No. 31299

SEARCH WARRANT

The people of the State of California to: any sheriff, marshal or police officer in the County of San Domino.

Proof, by affidavit, having been this day made before me by Officer Chris Matsumoto and Toxicologist Jaime Colannino, that there is probable cause for believing that Sam Rose may be in possession of illegal substances.

You are therefore commanded to search within a period of 10 days 2555 Western Boulevard, Apartment 3B, the residence of Sam Rose, and seize any illegal substances or drug paraphernalia, including Rohypnol.

You must leave a copy of this warrant and a receipt for the property taken and prepare a written inventory of the property seized and promptly return this warrant and bring the property before me as required by law.

Dated this 10th Day of December

Judge Magnan

Judge Magnan

OFFICIAL DIAGRAM

Andresantos	Ucmakli
5678 3983 0945 2365 01/01 4658 9952 3521 5876 06/04	
Ulrich	Nathanson
9045 0050 9378 9843 05/02 6582 3652 4542 9788 08/00	
Morales	Polanski
2284 5	266 04/03
Keipp	I've Got Your Number
9564 7	245 08/01
Schwich	Papadakis
6549 8665 4968 7654 06/00 5584 6235 9874 1548 06/00	
Mardesich	Braffman
5687 0001 6875 8988	7643 0900 8986 3345 09/00
Favazzo	Winckler
7475 8834 9856 3524 03/02 3221 8765 7745 8003 09/01	
Mishell	Miller
4588 3227 0978 6578 04/02 8574 3269 5218 1254 11/03	
Kusmiersky	Kilroy
9929 7436 3289 2614 07/03 6543 3210 0008 6547 12/01	

1 **WITNESS STATEMENT – Prosecution witness: Officer Chris Matsumoto**

2
3 My name is Chris Matsumoto, and I am a police officer with the San Domino Police
4 Department. I am 37 years old and have worked on the force for 15 years, since receiving
5 my Bachelor's Degree in Criminology from the University of San Domino. Currently, I am
6 in the Drug Crimes Unit where I have been for the past three years. To remain a part of this
7 unit, the San Domino Police Department requires that each officer take five work-related
8 continuing education courses per year. This past year, I have taken "Identifying Street
9 Drugs" and "Signs and Symptoms of Drug Overdoses," among others. These courses are
10 given as part of the Criminal Justice Program at San Domino Community College. In both
11 of these courses, Rohypnol was extensively covered. I have also arrested several
12 individuals who have been under the influence of a mix of alcohol and Rohypnol. Based on
13 my training and experience, I can easily recognize the symptoms of specific drug
14 intoxication.

15
16 Every September for the past three years I have led a one day class at each of the local
17 area high schools and junior high schools, educating the students about these life-
18 endangering drugs, including a full description of the potential side effects and other
19 dangers of Rohypnol. Every student is required to participate in this one-day workshop in
20 order to qualify for advancement to the next grade.

21
22 On the night of December 7th I responded to an emergency call from Sunset Park. I arrived
23 at the scene of the crime and found the two victims, later identified as Cory Jones and René
24 Guerrero, unconscious on the ground. I immediately called a backup unit and remained with
25 the victims until the ambulance arrived. Upon arrival of the backup team, I instructed the
26 officers to process the remaining young people for underage drinking and possible drug
27 consumption, and arrange for their parents to pick them up, as no one would be allowed
28 to drive after drinking.

29
30 Being the senior officer, I then began my investigation of the crime scene. I collected and
31 properly stored the beer steins for testing by the Department's toxicologist, Jaime
32 Colannino, for any residue. Each stein had a different name on it. I also spoke to several
33 witnesses who told me that the victims had been nauseous and dizzy prior to blacking out.
34 Devon Taylor, the group's chaplain, stated that two of the pledges named Sam Rose and
35 Cameron Bird were among the people who filled the steins. I was told that each member,
36 including Cory and René, had been drinking from his or her own personal stein that
37 evening. After interviewing Devon and Cameron, I proceeded to the San Domino Memorial
38 Hospital.

39
40 Upon arriving at the hospital, I waited in Cory's room until Cory awoke early in the morning
41 on December 8th. Cory immediately named Sam as a potential suspect. When I interviewed
42 René shortly thereafter, René was quick to name Sam as the perpetrator as well. Cory and
43 René both described their physical symptoms, and I was certain that Rohypnol was the
44 culprit.

45
46 The next day, I received the report from the toxicologist confirming the existence of
47 Rohypnol in both Cory and René's blood systems and in their steins, as well as their high
48 blood alcohol levels. Based on witness and victim statements and evidence seized, I
49 immediately requested a warrant to search Sam Rose's apartment for controlled
50 substances. The warrant was issued on December 10th, and I proceeded directly to the
51 Rose apartment. A young person answered the door and consented to my entry. As I
52 entered the apartment, the screen of a computer on a living room desk caught my attention.
53 It was covered with what appeared to be credit card numbers, complete with corresponding

1 **WITNESS STATEMENT – Prosecution witness: Jaime Colannino**

2
3 My name is Jaime Colannino, and I am a toxicologist for the San Domino Memorial
4 Hospital. I am also on contract with the San Domino Police Department where I work in
5 toxicology. I have had a lot of experience with new street drugs such as Rohypnol, more
6 commonly known as "roofies." Rohypnol usually comes in the form of small, white pills and
7 looks similar to aspirin or other over-the-counter drugs. It dissolves in liquid and is odorless,
8 thus becoming unrecognizable to the unsuspecting victim. When taken with alcohol,
9 Rohypnol can become life threatening. It does not take long for a dose of Rohypnol to take
10 effect, about 30 minutes. This drug is most commonly associated with the crime of date
11 rape, but lately I have seen it used with an increasing variety of crimes as well as
12 recreationally. As a result of this increased use of Rohypnol by young people, I have taken
13 several classes on it specifically. Additionally, I have been qualified in court as an expert
14 toxicologist and chemist over 20 times in the past year, alone.

15
16 I was working at the hospital the night of December 7th, when Cory and René were brought
17 in. Both Cory and René were unconscious initially. After speaking with Officer Matsumoto,
18 I suspected that the victims had ingested Rohypnol and requested blood tests for both of
19 them. When they awoke, they complained of nausea, extreme body temperatures,
20 headaches, anxiety, and muscle pain, among other symptoms. These were all typical
21 symptoms of Rohypnol use, though it should be noted that not every victim experiences all
22 or any of these different symptoms. When the results of Cory and René's blood tests
23 returned, my suspicions proved correct. Both Cory and René tested positive for Rohypnol
24 and had high blood alcohol levels. Cory had a blood alcohol level of .12, while René's was
25 slightly higher, at .14. At the request of Officer Matsumoto, I tested the steins found at the
26 crime scene. I began the tests on December 8th and submitted my report on December 9th.
27 The report stated that I found traces of Rohypnol residue in Cory and René's steins, but not
28 in the others.

29
30 I also conducted tests on the substance seized from Sam's apartment. These drugs were
31 in small, white pill form and tested positive as Rohypnol. There were three two-milligram
32 doses, which is more than enough to qualify as a usable quantity. "Usable quantity" means
33 the amount is sufficient for the purpose of inducing the effect of the drug.

1 **WITNESS STATEMENT – Prosecution witness: Cory Jones**

2
3 My name is Cory Jones, and I live at 1234 Executive Lane in San Domino. I'm a senior at
4 San Domino High School. I've lived here my whole life and always considered myself a
5 leader among my peers. I am the top singles player on San Domino High School's tennis
6 team, President of the Associated Student Body, and, most importantly, President of Sigma
7 Zeta Zeta Pi.

8
9 Sigma Zeta Zeta Pi is a co-ed social club made up of a very elite group of teenagers in the
10 community. It has been around for generations, since 1915 to be exact, and is very similar
11 to a college co-ed fraternity. We are well known for throwing the wildest parties around, and
12 sometimes drugs and alcohol can be found there, although our official club policy prohibits
13 both. Everyone knows alcohol loosens things up.

14
15 Right now, everyone's suspended, but we would have had 42 members, eight of whom
16 were only recently initiated. We are very picky about who we allow to be a part of Sigma
17 Zeta Zeta Pi. When school starts each year, we choose our favorite 10th graders to rush.
18 We then narrow that group down to those we allow to pledge. Those who make it through
19 the pledge season and Hell Night, the last night of pledge season, are then initiated. This
20 year we started out with 20 pledges, half of whom wimped out for some reason or another
21 during the season.

22
23 This one pledge named Sam always had an attitude. Sam never showed up at the local
24 hangouts and always stood in the corner at dances. Sam even got a job at school, working
25 in the Registrar's Office, probably to pass time and compensate for a completely non-
26 existent social life. Sam was just an outcast, so I definitely felt we were doing Sam a favor
27 by allowing Sam to pledge. We only picked Sam as a favor to Cameron Bird, one of the
28 most popular 10th graders at San Domino. Since Sam was a good friend of Cameron's, we
29 figured Sam must be pretty cool, too. Boy, were we wrong! Recruiting Sam turned out to
30 be a really bad decision. We found out that Sam wasn't just shy, but a bad sport – Sam
31 could not take a joke at all. I've heard that Sam accused me of trying to get Sam to change
32 a grade of mine. I did say that Sam could make some easy money changing grades, but
33 I was just joking around and hassling Sam about having such a lame job.

34
35 Some time near the end of pledge season, Sam even started to make threats; saying to
36 René and me, "What goes around, comes around!" What nerve! On December 3rd, a few
37 days before Hell Night, Sam found me alone in the hall at school and confronted me about
38 blackballing. Apparently, Sam heard something from Devon, but I don't know where Devon
39 got the idea that we were planning to blackball Sam. Anyway, Sam said, "I've heard that
40 you're thinking about blackballing some pledges. You'd better watch out because that could
41 put you out of commission for a long time." This made me very angry. Sure, the threat was
42 bad, but more importantly, Sam thought it was okay to confront me, the president of Sigma
43 Zeta Zeta Pi, to tell me how I should be running the pledge process! That was just too
44 much! That's when I knew who would get this year's "Least Likely to Succeed" award at Hell
45 Night. Later that day I found René to talk about it. We don't even make those kinds of
46 decisions until after Hell Night. As to that stupid "Least Likely to Succeed" award, that
47 doesn't imply anything. In fact, I got that award as a pledge, and look at me.

48
49 Hell Night this year was definitely one to remember. Halfway through it, I asked Sam and
50 Cameron to collect and fill our officer steins with beer for the Officers' Toast. Sam did what
51 was asked for once and brought them back right away. Cameron helped, too, as Cameron
52 always does, but I am pretty sure Sam gave René and me our steins. Soon after taking a
53 few swigs from it, though, I started to feel very dazed and sick to my stomach. I was

1 WITNESS STATEMENT – Prosecution witness: René Guerrero

me

2
3 My name is René Guerrero, and I live at 14225 Supreme Circle. I'm in my senior year at
4 San Domino High School. I have lived in San Domino since elementary school, and Cory
5 Jones is my best friend. I guess I have always sort of looked up to Cory, and we are always
6 together. I am Rush Chair of Sigma Zeta Zeta Pi, so I am responsible for checking up on
7 the pledges. One pledge named Sam regularly made trouble and talked back. The only
8 reason Sam was asked to pledge in the first place was because of Sam's friendship with
9 Cameron Bird, the younger sibling of Hunter Bird, one of last year's most popular
10 graduates. One day, Sam even said to Cory and me, "What goes around comes around."
11 I felt this was a threat.

12
13 Later during the pledging season, I think around the last weekend of November, I was on
14 my way to check up on pledges and noticed Sam out in front of the apartment building with
15 a suspicious looking character. They seemed to be making some kind of exchange, so I
16 confronted Sam about it after the stranger left. Sam quickly stuck a small baggie in a coat
17 pocket, and I asked what it was. Sam told me they were sleeping pills, that the stress from
18 pledging was getting to be too much to handle. I thought this was odd, but I didn't bring it
19 up again.

20
21 Then there was that final insult right before Hell Night, when Sam confronted Cory about
22 the pledge process and blackballing. I wasn't there, but Cory told me about it later. Of
23 course, we both agreed right away to give Sam the "Least Likely to Succeed" award for that
24 comment. You can't just insult the president of Sigma Zeta Zeta Pi and get away with it! But
25 that has nothing to do with blackballing anyone. Cory and I weren't going to think about that
26 until the day after Hell Night. We don't have to think about it at all, now.

27
28 On Hell Night, I had been drinking quite a bit, as had everyone else. I probably had several
29 beers before the toasting. I lost count as to how many Cory and I had, but I do remember
30 seeing Sam by the bathrooms with some small pills. I heard Cory order Sam and Cameron
31 to fill the steins, and I'm almost positive Sam filled ours.

32
33 A little while after drinking out of my stein, I start to feel queasy and very hot. At first, I
34 thought it was just from the alcohol, but then I became dizzy and I guess I passed out
35 because I don't remember anything else until I woke up in the hospital. An officer
36 interviewed me and asked who might have had a motive to drug me. The first and only
37 person I thought of was Sam.

38
39 Over the next several days, I felt very anxious and had a lot of really bad headaches.

1 **WITNESS STATEMENT – Defense witness: Sam Rose**

2
3 My name is Sam Rose, and I live at 2555 Western Boulevard, Apartment 3B, the white
4 apartment building across the street from San Domino High where I attend school as a
5 sophomore. This past June I moved here from Rhode Island with my parents. I just started
6 at San Domino High School this September, and I have really had a tough time making new
7 friends, with the exception of Cameron who I met at the mall during the summer. I took a
8 job in the Registrar's Office starting the first day of school to earn some extra money and
9 because I didn't feel comfortable at any of the local after-school hangouts.

10
11 I have to say I was surprised when I was asked to rush for Sigma Zeta Zeta Pi, being so
12 new and shy. I missed my old close-knit group of friends back home and really wanted to
13 find a new crowd, so I jumped on the opportunity to fit in. That's how I met Cory, this year's
14 president of Sigma Zeta Zeta Pi. Unfortunately, a couple of weeks later Cory asked me to
15 use my access to the Registrar's computer system to change one of Cory's grades, but I
16 told Cory I couldn't do it. From that point on, I got some bad vibes from Cory. I was sure I
17 wouldn't be picked as a pledge, refusing Cory's request like that. I was really blown away
18 when they told me I had made it into the pledge class, and I'm sure it had something to do
19 with my friendship with Cameron. Still, I was honored to have been chosen.

20
21 Pledging was difficult, to say the least, and much more arduous than I expected. Perhaps
22 it was my imagination, but I could have sworn I was treated much worse than the other
23 pledges. Then again, I'm sure all the pledges felt they were treated the worst. Cory and
24 René, the Rush Chair, really worked me to the core. I think this probably made me a
25 stronger person, though; it was almost good for me in the long run. I certainly didn't take
26 it personally and I never threatened anyone.

27
28 Some people have been making a big deal about my telling Cory and René "what goes
29 around, comes around," but I say that all the time. I believe in Karma, not revenge. Anyway,
30 I was really determined to become a member of Sigma Zeta Zeta Pi and wouldn't have
31 wanted to mess it all up by offending the top two members. I was willing to do whatever it
32 took to make it in. I even began taking over-the-counter sleeping pills to help me sleep. I
33 know it was a stupid thing to do, but I had to keep up with Rush and my classes. If my
34 grades went down, my parents wouldn't let me stick with Sigma Zeta Zeta Pi. I don't know
35 why René thought I was buying pills on the street. When René saw me on the street near
36 my house, I was just getting the extra apartment key back from Thi, a family friend. I have
37 an extra bed in my room that Thi uses sometimes. Thi had been staying at our place that
38 weekend in November and was headed back up north to school. The key was in a little
39 plastic bag so I wouldn't lose it. I'm always losing things.

40
41 The week before Hell Night, Cameron and I were getting more and more anxious, not
42 knowing what to expect. Around that same time, a strange thing happened. The chaplain,
43 Devon, one of the more lenient members, approached me and whispered, "Sam, you'd
44 better drop out now because they are going to blackball you and embarrass you in front of
45 everyone. Don't tell anyone I told you." Devon then took off without another word. I know
46 what blackballing means, kicking a pledge out of the group, for no apparent reason, at the
47 very tail end of the pledging process. While I couldn't say for sure whether or not Devon
48 was telling the truth, my first inclination was that blackballing was an ancient tradition that
49 never happened anymore, and this was just another tactic to get me to drop out. I thought
50 maybe if I did a really good job, I would still make it in. But the more I thought about it, the
51 more upset I got. It just isn't fair to make people do crazy, embarrassing stuff, just to prove
52 how much they want to be part of a group, and then refuse to let them join. No matter
53 whom they were going to blackball, it would be wrong. I would not want to be part of a

1 WITNESS STATEMENT – Defense witness: Devon Taylor

2
3 My name is Devon Taylor, and I live at 5678 Divinity Place in San Domino. I have lived here
4 most of my life, and I consider myself a very accepting person with friends in many social
5 groups at school. I am a senior at San Domino High School and chaplain of Sigma Zeta
6 Zeta Pi. Although I was hesitant to join Sigma Zeta Zeta Pi when they first asked me to
7 rush, I got to know the members better, and I decided to take a chance. After a while,
8 though, I became disenchanted. I didn't like the hazing or the way they treated people.
9

10 There was this one entering student named Sam who I really liked. I was so glad when the
11 officers allowed Sam to pledge because it meant so much to Sam. Sam was the new kid
12 in town and a bit of a wallflower, so to speak, but still very nice. However, I really became
13 upset shortly into the pledge season when the president, Cory, and the rush chair, René,
14 blatantly started to treat Sam much worse than they treated the other pledges. They were
15 always yelling at Sam and ordering Sam around. When they started to paddle Sam several
16 more times than the other pledges, right in front of everyone, I really thought they took this
17 way too far, and I was ashamed to be a part of this organization.
18

19 One day toward the end of pledge season, I overheard Cory and René laughing and talking
20 about how they were planning to "blackball" Sam on Hell Night. This meant that they were
21 going to kick Sam out after all that Sam had been through and embarrass Sam in front of
22 everyone. I also overheard Cory mention something about Sam refusing to help Cory with
23 a grade. I'm not sure what that was all about. The next day, I found Sam and Cameron
24 together, and I told Sam to drop out now or be blackballed on Hell Night. I wanted to save
25 Sam as much embarrassment as possible.
26

27 I was surprised to see Sam show up on Hell Night, but I guess that just goes to show you
28 what a real trooper Sam is. Hell Night was horrific. Cory and René forced the poor pledges
29 to swig mass quantities of alcohol, doused them with ketchup and mustard, and made them
30 swallow live goldfish. Then they gave out those stupid awards. When it came time for the
31 toasting, a special tradition, all of the members drank from their personalized beer steins.
32 I drank the same beer that Cory and René drank, in my own stein, but I never got sick at
33 all.
34

35 During the investigation that night, the police officer asked me if I knew who filled the steins
36 for the toasting. I told the officer that Sam and some other pledges filled them, but I did not
37 know who filled which steins in particular. I have since deactivated from Sigma Zeta Zeta
38 Pi.

1 WITNESS STATEMENT – Defense witness: Cameron Bird

2
3 My name is Cameron Bird, and I live at 153 Companion Street. I just started at San Domino
4 High School this fall, but I guess I'd already had the road paved for me, as my older brother,
5 Hunter, was a pretty popular guy there and a favored member of Sigma Zeta Zeta Pi.
6 Hunter just graduated last year, so quite a few students still remember him. I had it easy
7 by having my place in the so-called popular crowd pretty much reserved for me; I was what
8 they call a legacy for Sigma Zeta Zeta Pi. This meant I had a lock on becoming a member
9 myself.

10
11 My friend Sam was not as lucky. Sam had just moved here from Rhode Island in June and
12 didn't know anyone. I met Sam during the summer at the local mall, and we hit it off from
13 the start. Sam is a really great person and an even better friend, but kind of quiet and
14 reserved. Sam told me that in Rhode Island, Sam had a tight group of friends to hang out
15 with, but here, Sam spends most lunch hours in the library and avoids social situations like
16 dances. Sam is a very good student who studies more than anyone I know, but I also know
17 how important it is for Sam to be part of a group of friends again.

18
19 I had urged Sam to rush Sigma Zeta Zeta Pi with me, and I actually asked Cory to consider
20 Sam as a favor to me. I was excited when they chose Sam to be a pledge, but Sam was
21 even more excited than I was. It was always Sigma Zeta this or Sigma Zeta that.

22
23 Unfortunately, Sam seemed to get the brunt of the harshness from the officers during
24 pledging. Sam got yelled at more and called more names than everyone else. Sam was
25 treated much worse than the rest of us pledges. I think Sam may have been singled out
26 because of a certain incident that Sam only told me about when I forced the issue.
27 Apparently, Cory asked Sam, who works in the Registrar's office, to change a grade. Sam
28 refused and I think treating Sam so badly during pledging may have been Cory's way of
29 getting back at Sam.

30
31 Devon, the chaplain of Sigma Zeta Zeta Pi, was probably the most understanding member.
32 That's why I knew Devon meant it when Devon approached Sam shortly before Hell Night
33 to tell Sam about the club's plan to blackball Sam. I never mentioned my opinion to Sam
34 because I just didn't know the right thing to say.

35
36 When Hell Night came around, all of us pledges were scared – we did not know what to
37 expect. It was as horrible as we had imagined, and the officers kept teasing that it would
38 only get worse as the night went on. I just tried to tune out most of it, but I do know that
39 when it came time for the toasting, Sam and I were asked to fill the beer steins, so
40 someone else must have put those drugs in the steins before we even got to them. Cory
41 and René were the only two officers to get sick. When they passed out, I was the one who
42 immediately found the pay phone and called an ambulance and the police, both of which
43 arrived within minutes; I spoke with Officer Matsumoto briefly. We all went home with our
44 parents after that, but the rumor on campus the next day was that Cory and René had been
45 drugged. When I found out that they would not admit Sam into Sigma Zeta Zeta Pi, I
46 deactivated, withdrawing my membership.

1 WITNESS STATEMENT – Defense witness: Thi Nguyen

2
3 My name is Thi Nguyen, and I live up north where I am a junior in college. My family lives
4 in Rhode Island, which is how I know the Roses. They have been family friends for years.
5 I spend a lot of time on the weekends at the Roses, doing research for school or just getting
6 away from campus. I also store all of my off-season clothes in a suitcase under the spare
7 bed in Sam's room, the bed closest to the door. When I spend the night, they give me the
8 guest key to the house, allowing me to come and go without bothering anyone. I always
9 return the key before I leave for school. The Roses also let me use their computer, so I can
10 do my homework while I visit. I keep a personal journal on their computer, too. I even made
11 the screen saver – it's a copy of a flyer for a local band that my friends and I like.

12
13 Really, I'm almost a member of the Rose family by now. I was so happy last year when I
14 found out the Roses were moving close to my college, at least compared to Rhode Island.
15 It gave me an excuse to visit more often and eat some home-cooked meals. When I found
16 out Sam was asked to pledge Sigma Zeta Zeta Pi, I tried to discourage Sam from joining.
17 On the one hand, I know how difficult it has always been for Sam to make friends, given
18 how shy Sam is, so I was happy to see Sam making such an effort to find a new group. On
19 the other hand, I have had bad experiences with the frat system in the past, and I thought
20 that system would eat Sam alive. I guess I was right.

21
22 My most recent weekend visit to the Roses was at the end of November. Right before I left
23 to go back to school, I met Sam on the front steps to return the extra apartment key, which
24 I always keep in a plastic bag for safekeeping. This must be the supposed "exchange" that
25 the kid at Sam's school mentioned.

26
27 On December 10th, I drove down to San Domino for the day to do some research for a term
28 paper. Mr. & Mrs. Rose had left town the day before for a long weekend trip, and they
29 asked me to check in with Sam. Sam's been pretty responsible in the past, so the Roses
30 trusted Sam alone for the weekend. They just figured that it would be easy for me to do,
31 since I was coming down there anyway.

32
33 That day, I picked up some books at the library. As I didn't have a key to get in the
34 apartment, I waited until after school got out to see Sam. I figured I'd go to the apartment,
35 hang out and do some reading, have dinner with Sam and then hit the road. I remember
36 that Sam was working on the computer while I was reading. Just a few minutes after Sam
37 left to run to the market, I was surprised by a knock at the Roses' door. I was not expecting
38 anyone, and Sam had a key to the apartment and would not have knocked. When I
39 answered the door, I saw a police officer. The officer asked to come in and I got out of the
40 way. Then the officer asked to look at the computer. I said, "sure, go ahead." I wasn't about
41 to say no to a cop, no matter what. I figured the officer was going to look around the outside
42 of the computer, but I definitely didn't think that the police would search the computer files
43 and print out Sam's document. I wouldn't have agreed to that.

44
45 I admit I experimented with drugs in the past, but never with Roofies. But that is way in the
46 past. I have no idea where those pills in Sam's room came from.